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EV 464566505

RE: Our File: FINETEX 2.0-002

Serial Patent No.: 10/647,974

Applicant: VINSON ET AL.

Group Art Unit: 1616

Filed: 08/26/03

Examiner: SHARMILA S. GOLLAMUDI

For: BRANCHED ALCOHOL-BASED PERSONAL Batch No.:

CARE COMPOSITIONS

Enclosed for filing in the U.S. Patent and Trademark Office are:

() Utility/Design/Provisional/Patent Application

- (X) Law Firm Transmittal Letter / copy () Response/Amendment
() Letter-Official Draftsman () Affidavit/Declaration
() Preliminary Amendment () Petition
() Notice of Appeal/Motion/Brief () Information Disclosure Statement
() Assignment/Cover Sheet () Small Entity Statement
() TABS _____ to _____ () Issue Fee/Maint. Fee
() Certificate of Correction () Sworn Translation
(X) Check No. 6663 - \$180 (X) Postcard acknowledging receipt of
Drawings _____ sheets - the above identified material
Formal/Informal () Application Cover Sheet
(X) List of patents/Pubs&Dates of Pub. (X) 3rd PARTY SUB. IN PUBL.©
(X) PROOF OF SERVICE ON APPL. COUNSEL (X) PATENTS/PUBL. 8

Conditional Petition and Fee for Extension of Time: If any extension of time for the accompanying response is required, applicant requests that this be considered a petition therefor.

In connection with the above-identified matter, please charge any additional fees or any other charges related to this matter to the deposit account of the writer, No. 23-0812. A duplicate copy of this letter is enclosed.

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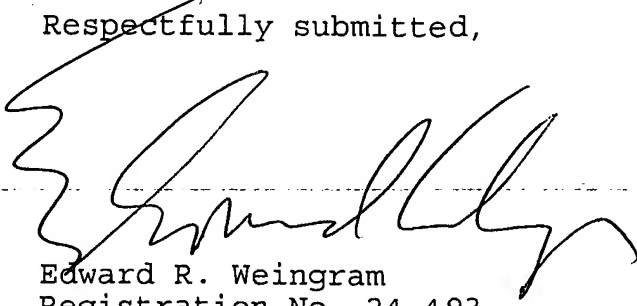
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AND IS ADDRESSED TO THE COMMISSIONER
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P.O. Box 1450

SIGNED: 

DATED: 6/21/04

Respectfully submitted,

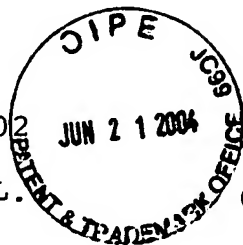

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Enclosures
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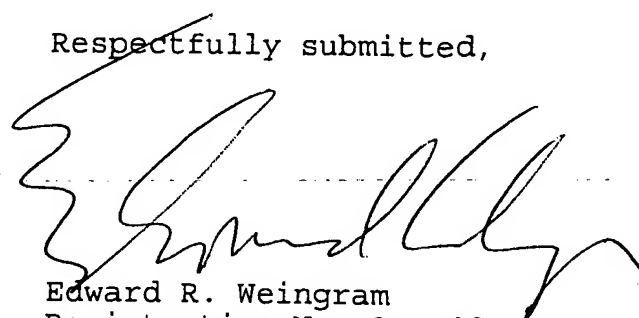
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SIGNED: 

DATED: 6/21/04

Respectfully submitted,



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FAX: (201) 843-6495

Enclosures
LETERW\PTOEXPRS1.ERW

Practitioner's Docket No. FINETEX 2.0-002**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Philip Kyle Vinson et al.
 Application No.: 10/647,974 Group No.: 1616
 Filed: August 26, 2003 Examiner: Sharmila Gollamudi
 For: BRANCHED ALCOHOL-BASED PERSONAL CARE COMPOSITIONS

Assistant Commissioner for Patents
 Washington, D.C. 20231

THIRD-PARTY SUBMISSION IN PUBLISHED APPLICATION
(37 C.F.R. § 1.99)

NOTE: 37 C.F.R. § 1.99(e): "A submission under this section must be filed within two months from the date of publication of the application (§ 1.215(a)) or prior to the mailing of a notice of allowance (§ 1.311), whichever is earlier. Any submission under this section not filed within this period is permitted only when the patents or publications could not have been submitted to the Office earlier, and must also be accompanied by the processing fee set forth in § 1.17(i). A submission by a member of the public to a pending published application that does not comply with the requirements of this section will be returned or discarded."

NOTE: 37 C.F.R. § 1.99(f): "A member of the public may include a self-addressed postcard with a submission to receive an acknowledgment by the Office that the submission has been received. A member of the public filing a submission under this section will not receive any communications from the Office relating to the submission other than the return of a self-addressed postcard."

NOTE: 37 C.F.R. § 1.99(i): "In the absence of a request by the Office, an applicant has no duty to, and need not, reply to a submission under this section."

1. The above identified application has been published on April 22, 2004 (Date).
 (04/22/04)

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
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37 C.F.R. § 1.10 *

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TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____

Date: 6/21/04

Signature Edward R. Weingram

Edward R. Weingram
 (type or print name of person certifying)

This submission is being made:

- ☒ within two months from the date of publication of the above application
- ☐ after two months from the date of publication of the above application and the patents and/ or publications listed below could not have been submitted to the Office earlier.
- ☐ the processing fee set forth in § 1.17(i) accompanies this submission.

NOTE: 37 C.F.R. § 1.99(b): "A submission under this section must identify the application to which it is directed by application number and include:

- (1) The fee set forth in § 1.17(p);
- (2) A list of the patents or publications submitted for consideration by the Office, including the date of publication of each patent or publication;
- (3) A copy of each listed patent or publication in written form or at least the pertinent portions; and
- (4) An English language translation of all the necessary and pertinent parts of any non-English language patent or publication in written form relied upon."

2. Attached hereto is:

NOTE: 37 C.F.R. § 1.99(d): "A submission under this section shall not include any explanation of the patents or publications, or any other information. The Office will dispose of such explanation or information if included in a submission under this section. A submission under this section is also limited to ten total patents or publications."

- ☒ A list of the patents or publications submitted for consideration by the Office, including the date of publication of each patent or publication.
- ☒ A copy of each listed patent or publication in written form
- ☐ Except that only the pertinent portions of the only of the following listed patents and publications are being provided
- ☐ An English language translation of all the necessary and pertinent parts of any non-English language patent or publication in written form relied upon.

NOTE: 37 C.F.R. § 1.99(f): "No further submission on behalf of the member of the public will be considered, unless such submission raises new issues which could not have been earlier presented."

- 3. ☐ This submission is in addition to the submission which was made on _____ (Date) and is being made because it raises new issues which could not have been earlier presented.**

NOTE: 37 C.F.R. § 1.99(c): "The submission under this section must be served upon the applicant in accordance with § 1.248."

NOTE: 37 C.F.R. § 1.248:

"(a) Service of papers must be on the attorney or agent of the party if there be such or on the party if there is no attorney or agent, and may be made in any of the following ways:

- (1) By delivering a copy of the paper to the person served;
- (2) By leaving a copy at the usual place of business of the person served with someone in his employment;
- (3) When the person served has no usual place of business, by leaving a copy at the persons residence, with some person of suitable age and discretion who resides there;
- (4) Transmission by first class mail. When service is by mail the date of mailing will be regarded as the date of service;
- (5) Whenever it shall be satisfactorily shown to the Commissioner that none of the above modes of obtaining or serving the paper is practicable, service may be by notice published in the Official Gazette.

(Third-party Submission in Published Application) [25-12]—page 2 of 3)

(b) Papers filed in the Patent and Trademark Office which are required to be served shall contain proof of service. Proof of service may appear on or be affixed to papers filed. Proof of service shall include the date and manner of service. In the case of personal service, proof of service shall also include the name of any person served, certified by the person who made service. Proof of service may be made by:

(1) An acknowledgement of service by or on behalf of the person served or

(2) A statement signed by the attorney or agent containing the information required by this section."

4. Service of this paper and the attachments thereto have been made on the applicant and the proof of such service is attached.

5. Fees Due

☒ Fee set forth in § 1.17(p) (\$180.00) \$ 180.00

☐ Fee set forth in § 1.17(i) (\$130.00) \$

Total fee(s) due: \$

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☐ Authorization is hereby made to charge the amount of \$

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☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.

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SIGNATURE OF PRACTITIONER

Tel. No.: (201) 843-6300

Edward R. Weingram
(type or print name of practitioner)

Customer No.: 28885

WEINGRAM & ASSOCIATES, P.C.
P.O. Address BOX 927
MAYWOOD, N.J. 07607

Practitioner's Docket No. FINETEX 2.0-002**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Philip Kyle Vinson et al.
Application No.: 10/647,974 Group No.: 1616
Filed: August 26, 2003 Examiner: Sharmila Gollamudi
For: BRANCHED ALCOHOL-BASED PERSONAL CARE COMPOSITIONS

Assistant Commissioner for Patents
Washington, D.C. 20231

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1. The above identified application has been published on April 22, 2004 (Date).
(04/22/04)

06/24/2004 BSAYASI1 00000063 10647974

01 FC:1806

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37 C.F.R. § 1.10 *

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Edward R. Weingram
(type or print name of person certifying)

- ☒ within two months from the date of publication of the above application
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P.O. Address
BOX 927
MAYWOOD, N.J. 07607

<u>List of Patents</u>	<u>Date of Publication</u>
1. U.S. Patent No. 4,275,222 to Scala, Jr.	Issued June 23, 1981
2. U.S. Patent No. 4,322,545 to Scala, Jr.	Issued March 30, 1982
3. U.S. Patent No. 4,323,694 to Scala, Jr.	Issued April 6, 1982
4. U.S. Patent No. 4,323,693 to Scala, Jr.	Issued April 6, 1982
5. U.S. Patent No. 4,791,097 to Walele, et al.	Issued December 13, 1988
6. U.S. Patent No. 5,783,173 to Bonda, et al.	Issued July 21, 1998
7. U.S. Patent No. 5,788,954 to Bonda, et al.	Issued August 4, 1998

<u>List of Publications and Date of Publication</u>
8. Technical Data Sheet for FINSOLV® BOD, INCI Name: Octyl Dodecyl Benzoate, by Finetex, Inc., dated April 2000 (4/00).



Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Philip Kyle VINSON, et al.
Serial No.: 10/647,974
Filed: August 26, 2003
For: Branched Alcohol-Based Personal Care Compositions

Examiner: Sharmila S. Gollamudi
Group Art Unit: 1616

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Third-Party Submission in Published Application was served on the Applicants, Philip Kyle Vinson, et al., and their assignee, The Procter & Gamble Company, through their intellectual property counsel, in compliance with 37 CFR 1.248(b), by first class mail, postage prepaid to:

The Procter & Gamble Company
Intellectual Property Division
Winton Hill Technical Center - Box 161
6110 Center Hill Avenue
Cincinnati, OH 45224

on this 21st day of June, 2004.

Edward R. Weingram
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